

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Rehan M. Khan et al.

Title:

Method and System for Analyzing Digital Audio Files

Application No.:

09/695,457

Filing Date:

October 24, 2000

Examiner:

Lao, Lun-See

Group Art Unit:

2643

Docket No.:

MOOD.011US0

Conf. No.:

2847

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 2, 2005

Mary E. Buggie
Mary E. Buggie

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants call the documents listed on the enclosed Form PTO-1449 to the Examiner's attention in this patent application.

According to 37 C.F.R. 1.98(2)(ii), copies of the U.S. Patents and U.S. Published Patent Applications documents are not required and are therefore not enclosed. Copies of the listed foreign patent documents and Other Art are enclosed.

08/05/2005 BABRAHA1 00000070 09695457

01 FC:1806

180.00 OP

Citation of these documents shall not be construed as (1) an admission that the documents are prior art with respect to the invention or inventions claimed in this application, (2) a


Attorney Docket No.: MOOD.011US0

Application No.: 09/695,457

representation that a search has been made (other than as indicated by any cited document), or
(3) an admission that the cited information is, or is considered to be, material to patentability as
defined in § 1.56(b).

This information disclosure statement is submitted under 37 C.F.R. § 1.97(c). A check
including \$180.00 for the information disclosure statement fee under 37 C.F.R. § 1.17(p), is
enclosed. The Commissioner is authorized, however, to charge any fee that may be required, or
to credit any overpayment, against Deposit Account No. 502664, as stated in the accompanying
Transmittal Letter.

Respectfully submitted,



Peter G. Mikhail
Reg. No. 46,930

August 2, 2005

Date

PARSONS HSUE & DE RUNTZ LLP
655 Montgomery Street, Suite 1800
San Francisco, CA 94111
(415) 318-1160 (main)
(415) 318-1168 (direct)
(415) 693-0194 (fax)

| | | | | | | | | |
|--|----|---|-----------------|----------------------|-------|-----------------|----------------------------|----|
| U.S. Department of Commerce, Patent and Trademark | | | | Atty. Docket No. | | Application No. | | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | MOOD.011US0 | | 09/695,457 | | |
| | | | | Applicants | | Conf. No. | | |
| (Use several sheets if necessary) | | | | Rehan M. Khan et al. | | 2847 | | |
| (Form PTO-1449) | | | | Filing Date | | Art Group | | |
| | | | | October 24, 2000 | | 2643 | | |
| U.S. Patent Documents | | | | | | | | |
| *Examiner Initial | | Document Number | Date | Name | Class | Subclass | Filing Date If Appropriate | |
| | 1 | 5,862,260 | 1/19/99 | Rhoads | | | | |
| | 2 | 5,987,525 | 11/16/99 | Roberts et al. | | | | |
| | 3 | 5,918,223 | 6/29/99 | Blum et al. | | | | |
| | 4 | 6,061,680 | 5/9/00 | Scherf et al. | | | | |
| | 5 | 6,154,773 | 11/28/00 | Roberts et al. | | | | |
| | 6 | 6,161,132 | 12/12/00 | Roberts et al. | | | | |
| | 7 | 6,230,192 | 5/8/01 | Roberts et al. | | | | |
| | 8 | 6,230,207 | 5/8/01 | Roberts et al. | | | | |
| | 9 | 6,240,459 | 5/29/01 | Roberts et al. | | | | |
| | 10 | 6,304,523 | 10/16/01 | Jones et al. | | | | |
| | 11 | 6,330,593 | 12/11/01 | Roberts et al. | | | | |
| | 12 | 6,505,160 | 1/7/03 | Levy et al. | | | | |
| | 13 | 6,829,368 | 12/7/04 | Meyer et al. | | | | |
| U.S. Published Patent Application Documents | | | | | | | | |
| *Examiner Initial | | Document Number | Date | Name | Class | Subclass | Filing Date If Appropriate | |
| | 14 | 2003/0028796A1 | 2/6/03 | Roberts et al. | | | | |
| | 15 | 2003/0046283A1 | 3/6/03 | Roberts | | | | |
| Foreign Patent Documents | | | | | | | | |
| | | | | | | | Translation | |
| | | Document | Date | Country | Class | Subclass | Yes | No |
| | 16 | WO02/065782A1 | 8/22/02 | WIPO | | | X | |
| | 17 | WO2003/096337A2A3 | 11/20/03 | WIPO | | | X | |
| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | | |
| | 18 | U.S. District Court, Northern District of California, "Order Addressing Parties' Cross Motions for Summary Judgment Re: Patent Infringement", Gracenote, Inc. v. MusicMatch, Inc., No. C 02-3162 CW, 8/26/04, 25 pages. | | | | | | |
| Examiner | | | Date Considered | | | | | |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant. | | | | | | | | |

| | | | | | | | | |
|---|----|---|-----------------|----------------------|-------|-----------------|----------------------------|----|
| U.S. Department of Commerce, Patent and Trademark | | | | Atty. Docket No. | | Application No. | | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | MOOD.011US0 | | 09/695,457 | | |
| | | | | Applicants | | Conf. No. | | |
| (Use several sheets if necessary) | | | | Rehan M. Khan et al. | | 2847 | | |
| (Form PTO-1449) | | | | Filing Date | | Art Group | | |
| | | | | October 24, 2000 | | 2643 | | |
| U.S. Patent Documents | | | | | | | | |
| *Examiner Initial | | Document Number | Date | Name | Class | Subclass | Filing Date If Appropriate | |
| | | | | | | | | |
| U.S. Published Patent Application Documents | | | | | | | | |
| *Examiner Initial | | Document Number | Date | Name | Class | Subclass | Filing Date If Appropriate | |
| | 19 | 2003/0086341A1 | 5/8/03 | Wells et al. | | | | |
| | 20 | 2003/0135513A1 | 7/17/03 | Quinn et al. | | | | |
| | 21 | 2004/0074378A1 | 4/22/04 | Allamanche et al. | | | | |
| | 22 | 2004/0143349A1 | 7/22/04 | Roberts et al. | | | | |
| | 23 | 2004/0172411A1 | 9/2/04 | Herre et al. | | | | |
| | 24 | 2004/0267522A1 | 12/30/04 | Allamanche et al. | | | | |
| | 25 | 2005/0017879A1 | 1/27/05 | Linzmeier et al. | | | | |
| Foreign Patent Documents | | | | | | | | |
| | | | | | | | Translation | |
| | | Document | Date | Country | Class | Subclass | Yes | No |
| | 26 | WO2004/044820A1 | 5/27/04 | WIPO | | | X | |
| | 27 | WO01/20483A2A3 | 3/22/01 | WIPO | | | X | |
| | 28 | WO01/37465A2A3 | 5/25/01 | WIPO | | | X | |
| | 29 | WO02/065782A1 | 8/22/02 | WIPO | | | X | |
| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | | |
| | 30 | U.S. District Court, Northern District of California, "First Amended Complaint for 1. Breach of Contract, 2. Unfair Competition, 3. Trademark Infringement, 4. Intentional Interference With Prospective Economic Advantage, 5. Negligent Interference With Prospective Economic Advantage, 6. Patent Infringement, Demand for Jury Trial", Gracenote, Inc. v. MusicMatch, Inc., No. C 02-3162 CW, 8/21/02, 33 pages. | | | | | | |
| | 31 | U.S. District Court, Northern District of California, "Stipulation and [Proposed] Order RE Dismissal of Adaptec, Inc.", CDDb, Inc. dba Gracenote v. Adaptec, Inc., and Roxio, Inc., No. C-01 20428 JW, 12/31/01, 3 pages. | | | | | | |
| | 32 | U.S. District Court, Northern District of California, "Stipulation and [Proposed] Order re Dismissal of Roxio, Inc. and Gracenote", CDDb, Inc. dba Gracenote v. Adaptec, Inc., and Roxio, Inc., No. C-01 20428 JW, 12/31/01, 5 pages. | | | | | | |
| Examiner | | | Date Considered | | | | | |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant. | | | | | | | | |

| | | | | | | | | |
|---|----|-----------------|-----------------|----------------------|-------|-----------------|----------------------------|----|
| U.S. Department of Commerce, Patent and Trademark | | | | Atty. Docket No. | | Application No. | | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | MOOD.011US0 | | 09/695,457 | | |
| | | | | Applicants | | Conf. No. | | |
| Use several sheets if necessary) | | | | Rehan M. Khan et al. | | 2847 | | |
| (Form PTO-1449) | | | | Filing Date | | Art Group | | |
| | | | | October 24, 2000 | | 2643 | | |
| U.S. Patent Documents | | | | | | | | |
| *Examiner Initial | | Document Number | Date | Name | Class | Subclass | Filing Date If Appropriate | |
| | | | | | | | | |
| U.S. Published Patent Application Documents | | | | | | | | |
| *Examiner Initial | | Document Number | Date | Name | Class | Subclass | Filing Date If Appropriate | |
| | | | | | | | | |
| Foreign Patent Documents | | | | | | | | |
| | | | | | | | Translation | |
| | | Document | Date | Country | Class | Subclass | Yes | No |
| | 33 | WO02/077966A2A3 | 10/3/02 | WIPO | | | X | |
| | 34 | WO02/093823A1 | 11/21/02 | WIPO | | | X | |
| | 35 | WO03/067466A2A3 | 8/14/03 | WIPO | | | X | |
| | 36 | WO2004/077430A1 | 9/10/04 | WIPO | | | X | |
| | 37 | WO2004/081817A1 | 9/23/04 | WIPO | | | X | |
| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| Examiner | | | Date Considered | | | | | |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant. | | | | | | | | |